

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EMMA SERNA,

Plaintiff

v.

No. 1:20-cv-01344-KWR-SCY

BBVA COMPASS BANK,

Defendant.

ORDER DENYING MOTION TO FILE NEW COMPLAINT

THIS MATTER comes before the Court on *pro se* Plaintiff's Motion for Leave of Court (Doc. 26) filed **April 27, 2021**.

The Court dismissed this case without prejudice for lack of subject matter jurisdiction. *See* Judgment (Doc. 25) filed **March 29, 2021**. Plaintiff now requests leave to file a new complaint against Defendant for recovery of funds. Three days after filing her Motion for leave to file a new complaint, Plaintiff filed her new Complaint. *See* Doc. 27, filed April 30, 2021 ("New Complaint"). The Court denies Plaintiff's Motion because the Court has entered its Judgment in this case and because Plaintiff has filed a new case against Defendant seeking recovery of funds. *See* Doc. 1, filed May 10, 2021, in *Serna v. BBVA Bank*, No. 1:21-cv-00450-JHR (asserting claims identical to those in the New Complaint).

IT IS ORDERED that Plaintiff's Motion for Leave of Court (Doc. 26) filed **April 27, 2021**, is **DENIED**.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE